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REMARKS

Status of Claims

Claims 1 and 4 have been rejected under 35 USC103(a) over Widegren in view of Hart.

Claim 3 has been rejected under 35 USC103(a) over Widegren in view of Hart further in view of Architectural Aspects for the Evolution of Mobile Communications Towards UMTS by Berruto.

Claim 7 has been rejected under 35 USC103(a) over Widegren in view of Hart further in view of Boudreaux.

Claim 1

(1) It is respectfully submitted that the Examiner is misapplying Widegren, partly because Widegren misuses the term "core network" to refer to the public distribution network, i.e. the PSTN or the Internet. Actually, the proper use of the term "core network" is limited to the level in the network hierarchy above the access network and below the distribution network. According to the Wikipedia entry for "core network" as at 11 May 2009, it provides "the highest level of aggregation in a service provider network", as well as authentication, call control or switching, charging, service invocation, and gateways. So it seems to us that in the context of the present application, the "core network" most likely belongs to a particular GSM or UMTS operator, and it aggregates calls from that particular operator's own customers for subsequent distribution over the public network. Therefore, when the Examiner argues that Widegren can switch calls between different "core networks", what we understand he really should be saying for fairest comparison with the present application is, "the Widegren core network can select between directing calls onto various public distribution networks such as the Internet and the PSTN." Putting it this way, it's clear that it is not the same concept.

(2) If arguendo you give credence to the Examiner's position that Widegren's PSTN and Internet are "core networks", then Widegren teaches away from the claim limitation of "two core networks having the same functionality", since circuit-switching

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and packet-switching are distinctly different functionalities, see Widegren column 5 lines 31-37.

(3) The Hart reference is inapposite for several reasons: (a) It's about STP, which is a protocol used ONLY for Local Area Networks, primarily Ethernet LANs. So it is not even in an analogous field. (b) STP is a protocol used for computing routes. The "load sharing" that is involved means distributing traffic over more than one path from the source to the destination. Again, this is not analogous to the issues raised by the capacities of wireless core networks. (c) The different "networks" referred to in Hart are just different portions of the same topological mesh, and their only significance is that they represent different ways of routing the same traffic. Hart belongs to the context of routing algorithms only. As a consequence, it has no bearing on the problems of call management encountered by operators of wireless access networks having overlapping service areas, said problems being unrelated to routing.

(4) So both Widegren and Hart are entirely inapposite. Moreover, there is no motivation to combine them, as Widegren fails to raise any problem that would be solved by "load sharing", and as Widegren is not concerned with routing protocols, it's difficult to see how the teachings of the two references could be combined, even if there were some motivation to do so.

It follows that claim 1 meets the standard of 35USC103(a) over the cited art.

Claim 3

Claim 3 is patentable not least on the basis that it depends on an allowable amended claim 1.

Claim 4

Claim 4 is a method claim corresponding to apparatus claim 1. Claim 4 is patentable for the same reasons as laid-out in respect of claim 1 above.

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Claim 7

Claim 7 is allowable not least on the basis that it is dependent on an allowable independent claim 1.

In view of the foregoing, allowance of all the claims presently in the application is respectfully requested, as is passage to issuance of the application. If the Examiner should feel that the application is not yet in a condition for allowance and that a telephone interview would be useful, he is invited to contact Applicants' attorney, **John B. MacIntyre**, at 630 979 4637 .

Respectfully submitted,
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Date: 6/24/09

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